

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	DATE FILED: <u>2/7/06</u>
v.	:	CRIMINAL NO. <u>06-33</u>
TERRELL BERRY	:	VIOLATIONS:
SHAWN MACK	:	18 U.S.C. § 1951
	:	(interference with interstate commerce
	:	by robbery - 1 count)
	:	18 U.S.C. § 924(c)(1)
	:	(carrying and using a firearm during and
	:	in relation to a crime of violence - 1 count)
	:	18 U.S.C. § 2
	:	(aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. J.B. Dawson's Restaurant, located at 5035 Township Line Road in Upper Darby, Pennsylvania, was a business engaged in interstate commerce.
2. On or about October 5, 2004, in Upper Darby, in the Eastern District of Pennsylvania, defendants

**TERRELL BERRY and
SHAWN MACK**

obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, and attempted to do so, by robbery, in that, defendants TERRELL BERRY and SHAWN MACK unlawfully took and obtained, and aided and abetted the unlawful taking and obtaining of, approximately \$4,714.09 from the manager of J.B. Dawson's Restaurant and

against her will, by means of actual and threatened force, violence, and fear of injury, immediate and future to her person and property, that is, by pointing a firearm at her and demanding that she open the safe and turn over the money, and by tying her up with duct tape and threatening to kill her if she did not comply.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 5, 2004, in Upper Darby, in the Eastern District of
Pennsylvania, defendants

**TERRELL BERRY and
SHAWN MACK**

knowingly used and carried a firearm, that is, a loaded Lorcin semiautomatic pistol, Model L380
caliber .380, serial number 486766, during and in relation to a crime of violence for which they
may be prosecuted in a court of the United States, that is, Hobbs Act Robbery, in violation of
Title 18, United States Code, Section 1951(a).

In violation of Title 18, United States Code, Section 924(c)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Section 924(c), set forth in this indictment, defendants

**TERRELL BERRY and
SHAWN MACK**

shall forfeit to the United States of America the firearm and ammunition involved in the commission of such offense, including, but not limited to:

1. Lorcin semiautomatic pistol, Model L380 caliber .380, Serial Number 486766;
2. One detachable box magazine;
3. Seven undischarged caliber .380 cartridges.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**